

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SAYE R. PAYE,

Petitioner,

v.

MR. ERLINGARD, et al.,

Respondents.

CIVIL ACTION  
NO. 12-2950

**ORDER**

**AND NOW**, this 22nd day of August 2014, upon consideration of the pro se Petition for Writ of Habeas Corpus (Doc. No. 1), Petitioner's Supplemental Submission with Case Law Support (Doc. No. 6), the Government's Response to the Petition for Writ of Habeas Corpus (Doc. No. 9), Petitioner's Reply (Doc. No. 12), the state court record, the notes of testimony of trial and sentencing (Doc. Nos. 15-17), the Report and Recommendation of United States Magistrate Judge David R. Strawbridge (Doc. No. 18), Petitioner's Objections to the Report and Recommendation (Doc. Nos. 20, 21), and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. The Report and Recommendation of Magistrate Judge Strawbridge (Doc. No. 18) is **APPROVED** and **ADOPTED**;
2. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is **DENIED**;
3. The Court finds that Petitioner has failed to make a substantial showing of denial of a constitutional right and accordingly a certificate of appealability **SHALL NOT** issue.
4. The Clerk of Court shall close the above-captioned case.

BY THE COURT:

/s/ Joel H. Slomsky  
JOEL H. SLOMSKY, J.